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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marshall O. Townsend II  
Serial No.: 10/041,836  
Filing Date: January 7, 2002  
Title: GOLF SWING TRAINING TEMPLATE  
Attorney Docket No. GLFP-1-1001  
Group Art Unit: 3711  
Examiner: Legesse, Nina F.

RESPONSE TO OFFICE ACTION TRANSMITTAL LETTER

TO THE COMMISSIONER FOR PATENTS:

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Transmitted with this letter is

- (1) A Response to Office Action dated December 9, 2002.
- (2) Return postcard.

No additional claim fee for the amended claims is necessary.

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MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.8 on the date indicated below addressed to: Box RESPONSE NO FEE, Commissioner for Patents, Washington, D.C., 20231.

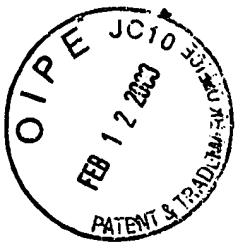
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PATENT TRADEMARK OFFICE



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RESPONSE TO FINAL OFFICE ACTION

TO THE COMMISSIONER OF PATENTS:

TECHNOLOGY CENTER R3700

RESPONSE

In a final Office Action mailed December 9, 2002, all of the claims were rejected. The primary basis for rejection was the combination of prior patents to Gibbs and Manley. As discussed below, Gibbs and Manley do not teach the claimed inventions, either alone or in combination. Accordingly, the Applicant respectfully requests reconsideration and allowance of the pending claims.

**Rejections under Section 103**

The Office Action rejected claims 1, 11-13, and 20 under Section 103 over the combination of Gibbs et al. (U.S. Patent No. 1,484,390) and Manley (U.S. Patent No. 2,707,638). Applicant respectfully disagrees that Gibbs or Manley—either alone or in combination—teach the claimed inventions.

Claim 1 recites, among other things, “a swing reference guide comprising a *plurality* of shot selection types.” In the preferred embodiment of the invention, the swing reference guide comprises a table of different shot types such as pull, hook, fade, or straight. In the preferred



form shown in Figure 1 and indicated by reference numeral 26, the swing reference guide depicts several such shot selection types and includes additional content related to each such shot type.

Neither Gibbs nor Manley teach this aspect of a plurality of shot selection types on a single template. Gibbs provides a "*series of instruction charts* on which a learner is adapted to stand and, which are designed for the principal shots in the game of golf..." Gibbs, col. 1, lines 39-42. Each of the figures in the Gibbs patent relates to a single, different golf shot. Thus, figure 1 is strictly related to a drive, figure 2 teaches a brassie shot, figure 3 teaches a midiron shot, and so on. See Gibbs, col. 2, lines 72-92. Further on, Gibbs reiterates that the invention provides "a series of sheets or pads." Gibbs, col. 2, line 97. There is nothing in Gibbs that even remotely suggests that instructions for a plurality of shots can be incorporated onto a single template. Considering the manner in which the graphic content is organized on the Gibbs sheets, it is impossible to imagine how Gibbs could possibly consolidate the series of sheets into a single sheet.

Because Gibbs does not have a plurality of shot selection types on a single template, Gibbs also does not have a "link between each one of the plurality of shot selection types and one of the club path indicators," as recited in claim 1. The Office Action refers to reference number 11 in Gibbs, and contends that the instructions of reference numeral 11 can be considered as links. Again, applicant respectfully disagrees. Gibbs explains that reference numeral 11 refers to "printed directions, such as 'Keep eye on the ball', 'Keep left arm straight', Bend left knee in up swing' and the like" Gibbs, col. 3, lines 24-26. Such instructional tips are not links of any type, and in any event cannot possibly be considered to be links between shot selection types and club path indicators.



The office action then combines Gibbs with Manley, asserting that Manley teaches a plurality of club path indicators on a single template and a tee bore. While the Applicant concedes that Manley does employ a plurality of swing paths on a single template, the combination still cannot teach or suggest the claimed invention because the above two elements of claim 1—the swing reference guide comprising a plurality of shot selection types, and the link between each one of those shot selection types and the club path indicators—is wholly missing from either reference. Indeed, the Manley chart is nothing more than a series of swing paths, without any instructions, reference guides, or links between reference guides and swing paths.

For the above reasons, claim 1 and each of its dependent claims is patentable over the combination of Gibbs and Manley. Because claim 1 is patentable, the Applicant will not separately discuss the patentability of each of the dependent claims.

### CONCLUSION

Applicant requests reconsideration and allowance of the pending claims.

Respectfully submitted,

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